

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**RYAN FRANKS and  
ESTHER C. DURHAM,**

**Defendants.**

**8:14CR371**

## ORDER

This matter is before the court on the defendant Ryan Frank's unopposed motion to continue trial [48] as the defense counsel will be out of the country. The court finds good cause being shown and the trial will be continued. The defendant has complied with NECrimR 12.1(a).

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial, **for both defendants**, now set for March 10, 2015 is continued to **April 7 2015**.

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 7, 2015**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED January 27, 2015.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**